



224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-879-2010(O&M)
Date of Decision: 16.03.2026

Sampuran Singh ...Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr.Arjun Sanghi, Advocate
for the petitioner.

Mr. Bhanu Pratap Singh, Addl. A.G. Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present revision petition against the impugned judgment dated 15.02.2010 passed by the Additional Sessions Judge, (Adhoc), Patiala and the judgment of conviction and order of sentence dated 09.02.2007 passed by the Court of Judicial Magistrate 1st Class, Patiala, whereby the petitioner was convicted for commission of the offence punishable under Sections 279, 337 and 338 of IPC and was sentenced as under:-

Under Section 279 IPC	Rigorous imprisonment for a period of six months
Under Section 337 IPC	Rigorous imprisonment for a period of six months
Under Section 338 IPC	Rigorous imprisonment for a period of one year

2. The brief facts of the present case are that on 26.04.2003, MHC Sudh Singh informed ASI Karnail Singh about the admission of Manju Bala and Sangeeta Rani, injured in Rajindra Hospital, Patiala due to the injuries sustained by them on account of accident. On receipt of this information, the later reached hospital and after obtaining the opinion of the doctor regarding



fitness of injured Manju Bala to make statement, recorded her statement. She stated to the police in her statement that on the date of accident, she along with her sister Sangeeta Rajni had gone to pay obeisance in the Naina Devi Mandir, situated at Nabha road Patiala on scooter No.PB-11-S-1880 LML-NV and after paying obeisance, they went to the Bhakra canal to immerse the articles of obeisance. After doing so, they were returning to their house on the said scooter which was being driven by her and Sangeeta was its pillion rider. When they reached near the shopping market, a three wheeler was going ahead of them. In the meantime, a jeep bearing No.PB-11-S-7220 which was being driven by the accused rashly and negligently, came from the side of Civil Lines, Patiala and struck against their scooter, as a result of which, they both received injuries on their bodies. They were removed to Rajindra Hospital, Patiala by the passer-byes. Her sister was referred to PGI, Chandigarh. The accident took place due to rash and negligent driving of the accused. Then, the Investigating Officer sent ruqa to the police station, on the basis of which the formal FIR was registered against the accused. The investigation then commenced. The injured were got medico legally examined and X-rayed and after completion of investigation, the accused was challaned.

3. After presentation of the challan, the trial Court found that a *prima facie* case under Sections 279, 337 and 338 of IPC was made out against the petitioner and he was charge-sheeted accordingly. The petitioner pleaded not guilty and claimed to be tried by the trial Court.

4. In order to prove the charge against the petitioner, the prosecution examined eight witnesses, namely, PW-1 Sangeeta, PW-2 Manju Bala, PW-3 HC Satpal Singh, PW-4 HC Piara Singh, PW-5 Amrik Singh, PW-6 HC



Rachhpal Singh, PW-7 Dr. A.Lal and PW-8 MHC Amarjit Singh and thereafter, the evidence was closed by order.

5. The prosecution examined PW-1 Sangeeta, injured, who reiterated the prosecution version in her statement. Further, Manju Bala was examined as PW2, who had also identified the petitioner as the person by whose negligence, the accident had taken place. Both PW-1 and PW-2 were cross-examined at length and both of them with stood the test of cross-examination. The prosecution further examined PW3, HC Satpal Singh, who had brought the record pertaining to the log book of Jeep No.PB-11-S-7220. On 26.04.2003, the said Jeep was being driven by the petitioner and he proved the documents (Ex.PB and Ex.PC). The prosecution further examined PW-4 HC Piara Singh, who had mechanically tested the offending vehicle and he proved the mechanical test report of scooter No. PB-11-S-1880 (Ex.PW4/A) and the mechanical test report of Mahindra Jeep bearing No.PB-11-S-7220 (Ex.PW4/B). PW-5, Amrik Singh exhibited the photographs (Ex.P1 to Ex.P4) and negatives (Ex.P5 to Ex.P-8). During his cross-examination, he admitted that the photographs did not bear the stamp of his shop and no receipt was issued against the photographs taken by him. PW-6, HC Rachhpal Singh proved the original appointment order (Ex.PW6/A) and transfer order (Ex.PB) of the petitioner. Dr.A. Lal, who had examined injured Sangeeta Rani in PGI, Chandigarh on 26.8.2003, appeared in the witness box as PW-7. He had conducted her X-ray examination. He gave the following report after her examination:-

1. X-ray skull AP & Lat view fracture of frontal bone (right lateral aspect) and craniotomy defect present.



2. X-ray C.Spine no bone fracture present.

3. X-ray right forearm AP and Lat view comminuted fracture of shaft of Radius (junction of upper 1/3 and lower 2/3 present.

4. X-ray chest - no bone injury seen.

He proved the report Ex.PW7/A and skiagrams Ex.PW7/B to Ex.PW7/F. During his cross examination, he stated that he had not examined the injured personally. He was not known to the injured personally.

6. The prosecution further examined MHC Amarjit Singh as PW-8, who proved the entry No.80, dated 26.04.2003, whereby the Govt. vehicle bearing No.PB-11-S-7220 was handed over to HC Sampuran Singh, petitioner, for official duty with CBI Staff at Nabha and proved the copy of DDR (Ex. PW8/A).

7. After closure of the prosecution evidence, the entire incriminating evidence led by the prosecution was put to the petitioner in the shape of his statement under Section 313 Cr.P.C. and he stated that he had been falsely involved in the present case.

8. In order to substantiate his defence, the petitioner examined Y.K. Saxena, Special Prosecutor CBI as DW1. He stated that in April 2003, he had come to Patiala from New Delhi along with Inspector Mr. Singh of CBI to attend the court case, relating to murder of Dr.Megh Raj Goyal. That case was being tried by the Judge, Designated Court under TADA at Nabha Jail. At about 8.45/9.00 a.m., they were going in police vehicle from Patiala to attend the Court at Nabha. The vehicle bearing No.PB-11-S-7220 was being driven by Sampuran Singh, Police Driver. He slowed down the vehicle to enable them to take tea from a roadside Dhaba. In the meantime, a scooter occupied by two



ladies came with a great speed and dashed against their vehicle on its right side. Both the ladies fell down. The blood started oozing out of the wounds of the lady driving the scooter. Immediately, the inspector got down and tried to stop the bleeding by trying his cloth on the wounds. The driver immediately stopped the vehicle and reached near the scooter. He also arranged for a vehicle to shift the injured ladies to the hospital. As the scooter was on its wrong side, it dashed with the vehicle i.e. jeep. The petitioner also tendered into evidence documents (Ex.D1 to Ex.D6) to show that he was a dutiful police officer and his good services had been acknowledged by the superiors of his department.

9. At the very outset, learned counsel for the petitioner submits that he does not wish to challenge the judgment of conviction passed against the petitioner by both the Courts, however, some leniency may be shown, while awarding the sentence on him. Even though, learned counsel for the petitioner has not challenged the judgment of conviction, still this Court has examined the entire case on merits in the light of the evidence led by the prosecution.

10. Learned State counsel contended that the petitioner does not deserve any concession regarding sentence and the present revision petition be dismissed.

11. I have heard learned counsel for the parties and perused the record carefully.

12. In the present case, PW-1, Sangeeta Rani and PW-2, Manju Bala had suffered the injuries and they had fully supported the case of the prosecution. Both the witnesses were cross-examined by the accused, however, they successfully withstood the test of cross-examination. Further, PW3 HC Satpal Singh, PW-6 HC Rachhpal Singh and PW8, MHC Amarjit Singh had



proved on record that the offending Jeep was driven by the petitioner on the date of incident. Thus, from the testimonies of aforementioned witnesses, it was apparent that the petitioner had caused the accident and his guilt stood proved from the statements of these witnesses. Still further, the prosecution also examined Dr. A. Lal, PW7, who got conducted the X-ray report in the present case and found that there were no bony injury qua injuries No.2 and 4, whereas, there was fracture on injuries No.1 and 3. Still further, the petitioner tried to assail the case of the prosecution by referring to the testimony of DW1, Y.K. Saxena. However, he could not withstand the test of cross-examination. Even the documents (Ex.D2 to Ex.D6) were not helpful to the present petitioner as the said documents only show that he was bearing good moral character. However, it does not absolve the petitioner of his liability for causing the accident and causing injuries to two persons. Consequently, the petitioner has been rightly convicted by both the courts.

13. Now, advertent to the order of sentence, this Court cannot overlook the fact that the petitioner is the only bread winner in his family and is not a previous convict. Even the sentence imposed on the petitioner was suspended by this Court on 09.04.2010 and in the last about 16 years, he was not involved in any other criminal activity. Apart from that, this Court is also conscious of the fact that even the petitioner is facing the agony of trial/appeal/revision for the last about 23 years and he has undergone 02 months and 02 days of actual custody, out of total sentence of one year. This Court is of the considered opinion that a lenient view can be taken while imposing sentence on the petitioner. Thus, the sentence imposed on the petitioner is reduced to the



period already undergone by him. However, the amount of fine imposed on him shall remain same.

14. With the above modifications, the present revision petition is partly allowed and the judgment of conviction is upheld, whereas, the sentence imposed on the petitioner is reduced to the period already undergone by him and the amount of fine imposed on him shall remain same.

15. Pending applications, if any, stand also disposed of, accordingly.

16.03.2026
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No